



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,344	04/27/2001	Hiroaki Takano	01266/LH	2474
1933	7590	12/15/2004	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC			BAKER, CHARLOTTE M	
767 THIRD AVENUE			ART UNIT	PAPER NUMBER
25TH FLOOR				
NEW YORK, NY 10017-2023			2626	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/844,344	TAKANO, HIROAKI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Charlotte M Baker	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-13 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-13 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. ____   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/16/2001</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: ____                                     |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 are rejected under 35 U.S.C. 102(e) as being anticipated by Redd et al. (6,646,754).

**Regarding claim 1:** Redd et al. disclose at least one or more of an image input apparatus comprising (kiosk, col. 13, ln. 9-21); means for receiving an order by itself without a dedicated operator (kiosk, col. 13, ln. 9-21); means for photographic-processing a silver halide photographic light-sensitive material (prints, or negatives col. 12, ln. 66-67 through col. 13, ln. 1-8 and col. 13, ln. 43-45); means for converting image recording information of the silver halide photographic light-sensitive material after the photographic processing into digital image data through an image sensor (scanner, col. 13, ln. 43-45); means for issuing an ID (unique identification number 922) for retrieving digital image data and an index print (thumbnail index 903) after receiving the order (col. 14, ln. 1-5 and col. 17, ln. 64-67 through col. 18, ln. 1-7); an image server comprising (image archive database 330); means for communicating with the

image input apparatus through a network (in communication with the photo-finisher's host system, col. 13, ln. 16-21); means for giving the ID for retrieving digital image data (Figures 7 and 8) to the digital image data transferred from the image input apparatus (kiosk equipped with scanner, or slot for accepting removable storage media, col. 13, ln. 22-24 and col. 13, ln. 43-45) and for storing the digital image data (Figure 4A, image archive database 330).

**Regarding claim 2:** Redd et al. satisfy all the elements of claim 1. Redd et al. further disclose means for capturing the digital image data from the image server (image archive database 330) by inputting the ID for retrieving (unique identification number 922 and col. 13, ln. 62-67 through col. 14, ln. 1-5 and Figures 7 and 8); means for storing the captured image data in a detachable external memory medium (slot that accepts removable storage media, col. 13, ln. 22-23).

**Regarding claim 3:** Redd et al. satisfy all the elements of claim 1. Redd et al. further disclose means for issuing, after receiving the order, a home page address (hosting the user's images on a webpage, col. 13, ln. 53-66), and ID for retrieving digital image data by inputting the ID for retrieving digital image data (unique identification number 922 and col. 13, ln. 62-67 through col. 14, ln. 1-5 and Figures 7 and 8) while the client computer (accessing the image archive database 330) is communicated with the image server through the network (client access is achieved through an image archive database 330 via the internet communicating with the host system, col. 13, ln. 53-66); means for storing the digital image data into a memory medium of the client computer (memory medium is inherent to a computer; once the images are retrieved, they can be transferred to the memory medium for storage).

**Regarding claim 4:** Redd et al. satisfy all the elements of claim 1. Redd et al. further disclose means for receiving an order for producing a digital print (col. 13, ln. 9-21); means for issuing, after receiving an order, an ID for retrieving digital image data (unique identification number 922 and col. 13, ln. 62-67 through col. 14, ln. 1-5 and Figures 7 and 8); means for preparing an order data file in which the content of the order for the digital print and the ID for retrieving are recorded (specific parameters related to ordering prints and online access, col. 13, ln. 62-67 through col. 14, ln. 1-22); means for transferring the order data file in the state of being separated from digital image data to the image server (placing an order, col. 14, ln. 31-54); means for reading out the order data file and digital image data from the image server on the basis of the ID for retrieving recorded in the order data file (col. 14, ln. 31-49); means for producing a digital print on the basis of the order data file (col. 14, ln. 55-56 and col. 18, ln. 55-57).

**Regarding claim 5:** Redd et al. satisfy all the elements of claim 1. Redd et al. further disclose issuing an order form with an index print (thumbnail index 903) attached in which a column to be filled with an order for the digital print and an ID for retrieving digital image data are described (step 404, col. 14, ln. 31-49).

**Regarding claim 6:** Redd et al. satisfy all the elements of claim 1. Redd et al. further disclose means for issuing an order form with an index print (thumbnail index 903) attached in which a column to be filled with an order for the digital print, an ID for retrieving digital image data (unique identification number 922 and col. 13, ln. 62-67 through col. 14, ln. 1-5 and Figures 7 and 8), and at least one of a telephone number and a facsimile number are described (phone number from which prints can be reordered, col. 17, ln. 64-67 through col. 18, ln. 1-4).

**Regarding claim 7:** Redd et al. satisfy all the elements of claim 1. Redd et al. further disclose means for issuing an order form with an index print (thumbnail index 903) and an ID for retrieving digital image data attached in which an order for producing the digital print is described (control data for each order is stored in an orders database 602, col. 18, ln. 41-62).

**Regarding claim 8:** Redd et al. satisfy all the elements of claim 3. Redd et al. further disclose wherein the client computer is further able to make an order for producing a digital print (URL 930 for a website, col. 17, ln. 64-67 through col. 18, ln. 1-7).

**Regarding claim 9:** Redd et al. satisfy all the elements of claim 1. Redd et al. further disclose wherein at least two or more of the image input apparatus are provided (kiosk equipped with scanner, or slot for recordable medium, col. 13, ln. 9-24).

**Regarding claim 10:** Arguments analogous to those stated in the rejection of claim 1 are applicable. Redd et al. further disclose means for issuing a specified form in which an ID for retrieving a digital image is described (Figures 7 and 8).

**Regarding claim 11:** Redd et al. satisfy all the elements of claim 10. Redd et al. further disclose means for issuing a specified form in which a home page address in addition to the ID for retrieving a digital image is described (Figures 7 and 8).

**Regarding claim 12:** Redd et al. satisfy all the elements of claim 11. Redd et al. further disclose means for issuing a specified form in which a index print (thumbnail index 903) in addition to the ID for retrieving a digital image and the home page address is described (Figures 7 and 8).

Art Unit: 2626

**Regarding claim 13:** Redd et al. satisfy all the elements of claim 12. Redd et al. further disclose wherein the specified form has a magnetic layer for recording information, and order data is recorded in the magnetic recording layer (audio sample encoded, col. 18, ln. 16-28).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M Baker whose telephone number is (703) 306-3456. The examiner can normally be reached on Monday-Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*CKW*  
cmb

*Kimberly Williams*  
KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER